

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-2(c)

Isabel C. Balboa
Chapter 13 Standing Trustee
Cherry Tree Corporate Center
535 Route 38, Suite 580
Cherry Hill, NJ 08002-2977



Order Filed on May 3, 2019 by
Clerk U.S. Bankruptcy Court
District of New Jersey

In Re:

Michael R. Smith
Kelly A. Hamburg

Debtor(s)

Case No.: 19-11154 (JNP)

Hearing Date: 05/01/2019

Judge: Jerrold N. Poslusny Jr.

ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two(2) through four(4) is hereby

ORDERED.

DATED: May 3, 2019

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtor: Michael R. Smith and Kelly A. Hamburg

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The plan of the debtor having been proposed to the creditor, and a hearing having been held on the Confirmation of such Plan, and it appearing that the applicable provision of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the plan of the above named debtor, dated 01/18/2019, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor; and it is further

ORDERED that the debtor shall pay the Standing Trustee, Isabel C. Balboa, the sum of \$381.00 for a period of 57 months beginning immediately, which payment shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586, together with \$1,110.00 paid to date.

ORDERED that the debtor's attorney be and hereby is allowed a fee of \$4,250.00. The unpaid balance of the allowed fee in the amount of \$3,950.00 plus costs of \$0.00 shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

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ORDERED that if the debtor should fail to make plan payments for a period of more than 30 days, the Standing Trustee may file, with the Court and served upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that upon expiration of the Deadline to File a Proof of Claim, the Chapter 13 Standing Trustee may submit an Amended Order Confirming Plan upon notice to the debtor(s), debtor(s)' attorney and any other party filing a Notice of Appearance.

ORDERED that the debtor's Motion to Avoid Liens under 11 U.S.C. § 522(f) be and is hereby granted. The following liens that impair the debtor's exemptions shall be avoided upon completion of the debtor's plan:

Cavalry SPV, Midland Funding & CACH of NJ liens to be avoided

ORDERED that the debtor consents to pay secured claims as filed, with reservation of rights to challenge the claims.

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ORDERED as follows:

Total plan length of 60 months. The debtor shall provide to the Trustee an update of husband's income by September 2019. BMW Bank's claim in the amount of \$10.00 shall be paid by the Chapter 13 Trustee.